

FCC Proceeding MB 07-57 NEW Comments of John Pavlica, Jr.

I would like to further address the potential merger of XM Satellite Radio and Sirius Satellite Radio companies – these new comments are in addition to those already expressed on my filing of September 13, 2007.

It is my understanding that Clear Channel Communications, during ex parte communications, has asked that all satellite radios include "HD radio" in them. IF you agree to that statement, then I believe that reverse should also be true: "all HD radios must include satellite radio capability". For that matter, I also believe that all HD radios should include analog AM stereo (as indicated in my comments in FCC docket 92-325).

As long as satellite radio remains a subscription service, and channels can be locked-out, I see no reason to hold satellite radio to the same decency standards as over-the-air broadcast radio. Should satellite radio become a free service someday, THEN, the same conditions should apply as they do to over-the-air radio broadcasters.

So in summary, as a continuing XM subscriber, I would ask for CONDITIONAL approval of the merger of the two satellite companies ONLY if the new XM+Sirius keeps all existing bandwidth, keeps "niche" music channels, maintains current rates for 5 years, offer a new radio for the combined company that uses the XM audio 'codec' for all music programming on the new combined service, and offers a two-year contract extension to all current employees. If ANY of these items are not met, then I am opposed to the merger. Without the same bandwidth, the merger is worthless, as quality will suffer.

As always, thanks for permitting me to voice my opinions.

John Pavlica, Jr.